

REMARKS

I. STATUS OF THE CLAIMS

Claims 92-105 are currently pending.

II. REJECTION OF CLAIMS IN VIEW OF EVANGELIDES

The Office Action includes several rejections in which Evangelides is a sole or primary reference.

The present invention as recited, for example, in claim 92, relates to an apparatus comprising (a) a first compensator compensating wavelength dispersion, the first compensator having a constant wavelength dispersion characteristic over a plurality of wavelengths; and (b) a second compensator compensating wavelength dispersion after wavelength dispersion is compensated by the first compensator, wherein the first and second compensators together compensate for wavelength dispersion dependent on a respective wavelength of a transmission line.

See, for example, FIGS. 10 and 11, and the disclosure on page 15, line 1, through page 16, line 14, of the specification. For example, as illustrated in FIG. 10, and described on page 15, lines 1-14, of the specification, a shape 101 indicates an example of the wavelength dispersion of a transmission line. Shape 103 indicates an example of the wavelength dispersion of a compensator that provides a constant wavelength dispersion characteristic over the wavelengths in FIG. 10, such as, for example, a "first compensator" as recited in claim 92. A shape 102 indicates an example of the wavelength dispersion of a compensator such as, for example, a "second compensator" as recited in claim 92. As shown by shape 105, shapes 103 and 102 together compensate for wavelength dispersion dependent on a respective wavelength of a transmission line, such as that shown by shape 101.

In the specific example in FIG. 10, a VIPA type compensator 92 (see, for example, FIG. 9) is used as a compensator having a constant wavelength dispersion characteristic over a plurality of wavelengths, and a DCF 93 (see, for example, FIG. 9) is also provided. The VIPA type compensator 92 corresponds, for example, to an example of a "first compensator" as recited in claim 92. The DCF 93 corresponds, for example, to an example of a "second compensator" as recited in claim 92.

FIG. 1 of Evangelides discloses a DCF 105 used to provide dispersion compensation so that dispersion is substantially zero at a selected wavelength (i.e., a selected channel). A first

set of channels to one side of the selected wavelength will have a positive dispersion, and a second set of channels to the other side of the selected wavelength will have a negative dispersion. One of the dispersion compensating elements 106 and 107 provides negative dispersion compensation to the first set of channels, and the other of the dispersion compensating elements 106 and 107 provides positive dispersion compensation to the second set of channels. See, for example, the Abstract; column 3, lines 20-31; column 4, lines 23-40. See also the wording of claim 1 of Evangelides.

This operation in Evangelides is substantially different than the present invention.

It should be noted that column 3, lines 10-19, of Evangelides, indicate that dispersion compensating elements 106 and 107 might be single mode fibers. Therefore, each of these dispersion compensating elements would provide dispersion compensation with a slope. Such dispersion compensating elements would not provide a constant dispersion characteristic over wavelengths.

Therefore, it is respectfully submitted that Evangelides does not disclose or suggest the combination of a compensators which together compensate as recited, for example, in claim 92.

Although the above comments are directed to claim 92, it is respectfully submitted that the comments will be useful in understanding differences of other claims over Evangelides.

In view of the above, it is respectfully submitted that the prior art rejections in view of Evangelides are overcome.

III. DOUBLE PATENTING REJECTION

The claims are rejected under the judicially created doctrine of obviousness-type double patenting in view of US Patent No. 6,744,958.

A Terminal Disclaimer in view of US Patent No. 6,744,958 was previously filed on September 13, 2005. On page 2 of the outstanding Office Action, the Examiner indicated that the Terminal Disclaimer was approved.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. IDS

An IDS was filed on December 28, 2005.

In view of the above, it is respectfully requested that the Examiner acknowledge the IDS.

V. CONCLUSION

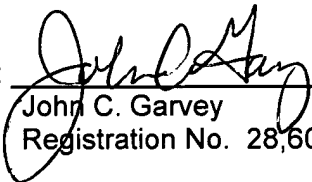
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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